

PUBLIC SERVICE COMMISSION OF WISCONSIN

Minutes and Informal Instructions of the Open Meeting of
Tuesday, October 4, 2005

The Public Service Commission of Wisconsin (Commission) met as noticed. Present were Chairperson Ebert and Commissioner Meyer.

6630-ET-100 – Application of Wisconsin Electric Power Company for a Financing Order Authorizing the Issuance of Environmental Trust Bonds and for Approval of Related Affiliated Interest Agreements

CLOSED SESSION - The Commission may recess the open meeting, go into closed session under Wis. Stat. § 19.85(1)(g), and reconvene the open meeting pursuant to Wis. Stat. § 19.85(2). (Consult with legal counsel regarding Department of Justice proposal)

Commissioner Myer moved, pursuant to Wis. Stat. § 19.85(1)(g), that the Commission convene in closed session to discuss possible litigation with legal counsel. Chairperson Ebert seconded the motion. The motion was carried.

After a discussion in closed session, the Commission continued in open session.

Chairperson Ebert noted that the Attorney General reviewed allegations of unlawful activity and the agreement did not find that an Open Meetings Law violation occurred and determined that remedies for *ex parte* communications had been followed almost a year ago. The Chairperson disagreed with the department's conclusion that there could have been a violation of bar on *ex parte* communications. The Chairperson also noted that the agreement required modest changes in internal procedures that had been under consideration. The Chairperson entertained a motion to enter the agreement proposed by the Attorney General. The motion was seconded and carried.

Christy L. Zehner
Secretary to the Commission